

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 94-632-E - ORDER NO. 95-382 ✓
FEBRUARY 15, 1995

IN RE: Jack W. Gardner,)	ORDER
)	DISMISSING
Complainant,)	COMPLAINT
)	
vs.)	
)	
Duke Power Company,)	
)	
Respondent.)	
)	
)	

On August 23, 1994, Mr. Jack W. Gardner (Gardner) filed a request for hearing before the Public Service Commission of South Carolina (the Commission) concerning his high bill complaint against Duke Power Company (Duke). The Commission found that a hearing should be held to consider this matter.

Pursuant to Order No. 94-1049, Gardner was ordered to file twenty-five (25) copies of his testimony and exhibits with the Commission on or before January 24, 1995. Garner failed to do so.

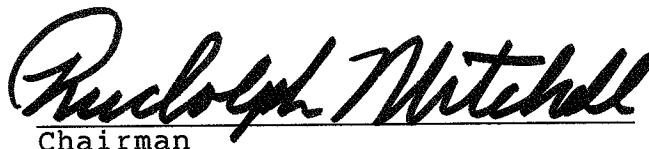
Our Order No. 95-237 ordered Gardner to file his testimony and exhibits with the Commission, and serve them on the parties within five (5) days of his receipt of that Order, or his complaint could be subject to dismissal by the Commission.

The Commission has examined this matter and has discovered that Gardner has failed to file and serve testimony and exhibits within five (5) days of his receipt of Order No. 95-237. Therefore, the Commission believes that his complaint should be dismissed without prejudice pursuant to the terms of Order No. 95-237.

IT IS THEREFORE ORDERED THAT:

1. The complaint of Jack W. Gardner against Duke Power Company is hereby dismissed without prejudice.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)